

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC.,

Plaintiff,

v.

BLUE COAT SYSTEMS, LLC,

Defendant.

Case No.15-cv-03295-BLF (SVK)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO COMPEL DISCOVERY**

Re: Dkt. Nos. 151, 174

The Court has reviewed the parties' Discovery Dispute Joint Report submitted November 23, 2016, that presented Plaintiff Finjan Inc.'s ("Finjan") motion to compel responses to specific discovery requests. (Dkt. No. 151.) The Court has also reviewed the Supplemental Brief to Discovery Joint Report No. 1 submitted January 30, 2017, that narrowed the issues that remain. (Dkt. No. 174.) The Court grants in part and denies in part Finjan's motion.

First, with respect to the technical documents regarding design and functional specifications for Mail Threat Defense ("MTD"), Security Analytics, and Webpulse 2.0 (Request for Production Nos. 10, 12, and 13), Blue Coat Systems, LLC ("Blue Coat") has agreed to confirm whether additional technical documents exist. Blue Coat shall produce additional documents or confirm production is complete on RFP Nos. 10 and 13 by February 3, 2017. The Court finds RFP No. 12 is overly broad and therefore denies Finjan's motion as to that request.

Second, regarding the revenue forecasts for the accused products (RFP No. 19), Blue Coat has agreed to produce revenue forecasts for the accused products if the documents exist. Blue Coat shall produce additional documents or confirm production is complete on RFP No. 19 by February 3, 2017.

Third, regarding the schema of databases (RFP No. 53), Blue Coat shall produce additional

1 documents or confirm production is complete of those documents describing the database
2 structure of the “specifically identified databases,” as referenced in the January 30, 2017 Joint
3 Report (Dkt. No. 174 at 4).

4 *Fourth*, with respect to documents related to the valuation of Blue Coat, the accused
5 products, or the Finjan patents (RFP Nos. 54, 55; Dkt. No. 174), the Court grants the motion in
6 part as follows: Blue Coat shall produce documents arising out of acquisitions of Blue Coat in the
7 last six years that reflect a valuation of the Finjan patents or the accused products. Such
8 production shall be complete by February 3, 2017. Although it appears that the requests had been
9 narrowed by meet and confer efforts, to be clear, the motion is denied as to requests for valuation
10 of Blue Coat as a whole. The request is also denied as to documents relating to mere offers for
11 sale, potential mergers or potential acquisitions or “other attempts to market Bluecoat.”

12 *Finally*, the Court denies without prejudice Finjan’s request regarding document
13 production deadlines for depositions. All documents should be produced by February 3, 2017.

14 **SO ORDERED.**

15 Dated: 1 / 31 / 2017

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18 SUSAN VAN KEULEN
United States Magistrate Judge

United States District Court
Northern District of California